

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MERCK SHARP & DOHME B.V. and  
ORGANON USA INC.,

Plaintiffs,

v.

AUROBINDO PHARMA USA, INC., et al.;  
GLAND PHARMA LIMITED;  
TEVA PHARMACEUTICALS USA, INC.;  
LUPIN LIMITED, et al.;  
MANKIND PHARMA LIMITED, et al.;  
FRESENIUS KABI USA, LLC;  
DR. REDDY'S LABORATORIES, INC., et al.;  
FISIOPHARMA S.R.L.;  
SUN PHARMACEUTICAL INDUS., INC., et al.  
ZYDUS PHARMACEUTICALS (USA) INC.; et al.  
USV PRIVATE LIMITED;  
ASPIRO PHARMA LIMITED;  
SANDOZ, INC., et al.;  
MYLAN API US LLC, et al.;  
MSN LABORATORIES PRIVATE LIMITED, et al.;  
BIOPHORE PHARMA INC., et al.,

Defendants.

Civil Action No. 20-2576 (CCC) (MF)  
Civil Action No. 20-2750 (CCC) (MF)  
Civil Action No. 20-2751 (CCC) (MF)  
Civil Action No. 20-2786 (CCC) (MF)  
Civil Action No. 20-2787 (CCC) (MF)  
Civil Action No. 20-2892 (CCC) (MF)  
Civil Action No. 20-2909 (CCC) (MF)  
Civil Action No. 20-2964 (CCC) (MF)  
Civil Action No. 20-3007 (CCC) (MF)  
Civil Action No. 20-3068 (CCC) (MF)  
Civil Action No. 20-3072 (CCC) (MF)  
Civil Action No. 20-3112 (CCC) (MF)  
Civil Action No. 20-3117 (CCC) (MF)  
Civil Action No. 20-3270 (CCC) (MF)  
Civil Action No. 20-3314 (CCC) (MF)  
Civil Action No. 20-3795 (CCC) (MF)

**ORDER CONSOLIDATING CASES**

**THIS MATTER**, having come before the Court jointly by counsel for all parties,<sup>1</sup> for an order consolidating the above-referenced cases pursuant to Federal Rule of Civil Procedure 42 and Local Civil Rule 42.1; and the parties in the above-captioned cases having agreed that consolidation of the actions would promote judicial economy and conserve the Court's and the parties' time and resources; and the Court having found that the above-captioned cases are related

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<sup>1</sup> The Mylan Defendants join in this consolidation request without prejudice to their pending motions to dismiss, filed in No. 20-3270 (CCC) (MF).

actions involving common questions of law or fact within the meaning of Federal Rule of Civil Procedure 42(a) and Local Civil Rule 42.1; and all counsel having consented to this Order; and for other and good cause having been shown,

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2020,

**ORDERED** that the above-captioned cases (the “Consolidated Actions”) are consolidated for all purposes, including discovery, case management, and trial, subject to further order of the Court; and it is further

**ORDERED** that Civil Action No. 20-2576 shall be the Lead Case and effective upon entry of this order, all filings in the Consolidated Actions are to be made only in Civil Action No. 20-2576, with the exception of any filings specific to individual defendants, which may be filed on their original dockets; and it is further

**ORDERED** that all filings in the Consolidated Actions shall bear the following caption:

IN RE SUGAMMADEX
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Civil Action No. 20-2576 (CCC) (MF)  
(CONSOLIDATED)

and it is further

**ORDERED** that all counsel who have been admitted *pro hac vice* in any of the Consolidated Actions shall be deemed to be admitted *pro hac vice* in the Lead Case and in each of the Consolidated Actions as applicable.

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Hon. Mark Falk, U.S.M.J.